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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
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10 **TONY PENNISI,**

11 **Plaintiff,**

12 **vs.**

13 **LINCOLN GENERAL INSURANCE COMPANY,**

14 **Defendant.**
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Case No.: 12-CV-02695 YGR

**ORDER TO SHOW CAUSE; AND CONTINUING
CASE MANAGEMENT CONFERENCE TO
DECEMBER 17, 2012**

16 The Court understands that Plaintiff's counsel has not made himself available to meet and
17 confer with defense counsel to develop a joint case management statement for the December 10,
18 2012 Case Management Conference. The Court also understands that Plaintiff has not responded to
19 Defendant's discovery requests; nor has Plaintiff's counsel responded to Defendant's "meet and
20 confer" letter regarding those discovery requests.

21 Plaintiff is **ORDERED TO SHOW CAUSE** why Plaintiff and/or Plaintiff's counsel should not be
22 sanctioned for failure to file a Case Management Statement.

23 A hearing on this Order to Show Cause will be held on **Friday, December 21, 2012** on the
24 Court's **9:01a.m.** Calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in
25 Courtroom 5.


26 By no later than **December 14, 2012**, counsel for Plaintiff shall file a written response to this
27 Order to Show Cause why Plaintiff should not be sanctioned for failure to file a joint case
28 management statement. Plaintiff shall also update the Court on the status of his discovery obligations

1 and Rule 26 disclosures. If the Court is satisfied with Plaintiff's written response, counsel for
2 Plaintiff need not appear and the hearing will be taken off calendar. Otherwise, counsel for Plaintiff
3 must personally appear at the hearing. Neither a special appearance nor a telephonic appearance will
4 be permitted. Failure to file a written response or to appear personally will be deemed an admission
5 that no good cause exists and that the imposition of monetary sanctions is appropriate.

6 The Case Management Conference set for December 10, 2012 is **CONTINUED to December**
7 **17, 2012.**

8 **IT IS SO ORDERED.**

9 Date: December 5, 2012

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11 **YVONNE GONZALEZ ROGERS**
12 **UNITED STATES DISTRICT COURT JUDGE**